IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. APPLICATION NO. 4083 OF 2004

Shri Milind Nana Shirsat ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri Douglas Jose Lopez for Applicant.
Mr. S.R.Shinde, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 06.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. The prosecution case is that the deceased committed suicide because of ill treatment meted out to her amongst others by the Applicant herein. The incident occured on 9th April, 2003. The Applicant is in custody since then. The Applicant's mother and aunt was also implicated in the commission of offence alongwith the Applicant, but they have been released on bail by the court below. Medical evidence establishes that the death is either accidental or suicide. It is common ground that even charges have not been framed. There is no possibility of early

disposal of the case. The applicant is already in jail for over 18 months. Besides, assuming that the cause of death is suicide committed by the deceased, the prosecution case as against the applicant is one of ill treatement to the deceased. It will have to be established in evidence that the ill treatement was of such a nature that the deceased was driven to commit suicide. Taking overall view of the matter, the Applicant deserves to be released on bail on certain conditions as under :-

Applicant is released on bail in connection with C.R.No. I-62/2003, registered with Ulhasnagar Police Station, on executing a personal bond in the sum of Rs. 25,000/- with two local sureties in the like amount.

The Applicants shall regularly report to the Ulhasnagar Police Station, once in fortnight on Saturday between 11 a.m. to 12 p.m..

Applicant shall extend full co-operation for earlier disposal of the case, failing which it will be a ground for cancellation of bail. If the Trial court is of the opinion that the

Applicant is causing obstacles for earlier disposal of the case that fact be recorded in the Rozanama.

Applicant to appear before the trial court on every specified date,unless the presence is dispensed with for the sufficient cause by the trial court.

The Applicant shall not tamper with the prosecution evidence and shall not influence the prosecution witnesses in any manner whatsoever.

. Order accordingly.

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